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WESTERN DISTRICT OF LOUISIANA  
BY [Signature]

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
\_\_\_\_\_  
DIVISION

Civil Action No. 1:18-cv-0068 SEC. P

\_\_\_\_\_  
Plaintiff

Prisoner # \_\_\_\_\_

VS.

Judge \_\_\_\_\_

Magistrate Judge \_\_\_\_\_

\_\_\_\_\_  
Defendant

**COMPLAINT**  
**PRISONER CIVIL RIGHTS UNDER 42 U.S.C. § 1983**

**I. Previous Lawsuits**

- a. Have you begun any other lawsuit while incarcerated or detained in any facility?

Yes ☐ No ☒

- b. If your answer to the preceding question is "Yes," provide the following information.

1. State the court(s) where each lawsuit was filed (if federal, identify the District, if state court, identify the County or Parish):

\_\_\_\_\_  
\_\_\_\_\_

2. Name the parties to the previous lawsuit(s):

Plaintiffs: \_\_\_\_\_

Defendants: \_\_\_\_\_

3. Docket number(s): \_\_\_\_\_

4. Date(s) on which each lawsuit was filed: \_\_\_\_\_

5. Disposition and date thereof [For example, was the case dismissed and when? Was it appealed and by whom (plaintiff or defendant)? Is the case still pending?]:

\_\_\_\_\_

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- c. Have you filed any lawsuit or appeal in any federal district court or appeals court which has been dismissed?

Yes ☐ No ☒

If your answer to the preceding question is "Yes," state the court(s) which dismissed the case, the civil action number(s), and the reason for dismissal (e.g., frivolity, malice, failure to state a claim, defendants immune from relief sought, etc.).

II. a. Name of institution and address of current place of confinement:

Jackson Parish Correctional Center 287 Industrial Jonesboro, LA 71251

- b. Is there a prison grievance procedure in this institution?

Yes ☒ No ☐

1. Did you file an administrative grievance based upon the same facts which form the basis of this lawsuit?

Yes ☒ No ☐

2. If you did not file an administrative grievance, explain why you have not done so.

3. If you filed an administrative grievance, answer the following question. What specific steps of the prison procedure did you take and what was the result? (For example, for state prisoners in the custody of the Department of Public Safety and Corrections: did you appeal any adverse decision through to Step 3 of the administrative grievance procedure by appealing to the Secretary of the Louisiana Department of Public Safety and Corrections? For federal prisoners: did you appeal any adverse decision from the warden to the Regional Director for the Federal Bureau of Prisons, or did you make a claim under the Federal Tort Claims Act?)

never received response from ARPLs  
submitted

Attach a copy of each prison response and/or decision rendered in the administrative proceeding.

III. Parties to Current Lawsuit:

- a. Plaintiff,

Lane Carter

Address

287 Industrial, Jonesboro, LA 71251

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b. Defendant, Jacque Derr, is employed as  
District Judge at Winn Parish.  
 Defendant, Cranford Jordan, is employed as  
Sheriff at Winn Parish.  
 Defendant, Winn Parish Jail, is employed as  
at Winn Parish.  
 Additional defendants, Jackson Parish Correctional Center  
at Jonesboro, LA

#### IV. Statement of Claim

State the **FACTS** of your case. Specifically describe the involvement and actions of each named defendant. Include the names of all persons involved in the incident(s) or condition(s) giving rise to this lawsuit, and the dates upon which and the places where the incident(s) and/or condition(s) occurred. **YOU ARE REQUIRED TO SET FORTH ONLY FACTUAL ALLEGATIONS. YOU ARE NOT REQUIRED TO SET FORTH LEGAL THEORIES OR ARGUMENTS.**

August 20, 2017 - I slipped and fell out of a shower at the Winn Parish Jail in cell 3 because of a faulty/damaged shower floor. Sheriff Cranford Jordan was notified of the fall by guard Todd Williams, who instructed me to lay still and not to move because help was on the way. Sheriff Jordan arrived at the jail, came to where I was, didn't speak to me and left the area I was in. Deputy Williams informed me that Sheriff Jordan was reviewing the video footage of the cell to decide if EMT services should be called. I fell at approximately 5 p.m. and EMTs arrived (See attached sheets)

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**V. Relief**

State exactly what you want the court to provide to you or do for you. Make no legal arguments. Cite no cases or statutes.

Medical treatment, both physical and  
mental, and compensation

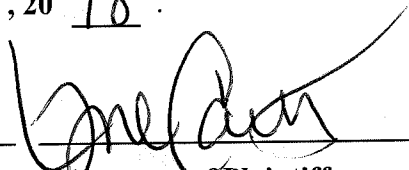
**VI. Plaintiff's Declaration**

- a. I understand that if I am transferred or released, I must apprise the Court of my address, and my failure to do so may result in this complaint being dismissed.
- b. I understand that I may not proceed without prepayment of costs if I have filed three lawsuits and/or appeals that were dismissed on grounds that the action and/or appeal was frivolous or malicious, or failed to state a claim upon which relief may be granted, unless I am in imminent danger of serious physical injury.
- c. If I am located in a prison participating in the Electronic Filing Pilot Program, I consent to receive orders, notices and judgments by Notice of Electronic Filing.

Signed this

14 day of January, 20 18.

Prisoner no. (Louisiana Department of  
Corrections or Federal Bureau of Prisons)

  
Signature of Plaintiff



## Statement of Claim (cont. Page 1)

- Approximately 7 p.m. I was taken to the local emergency room and released at approximately 10 p.m. under Dr.'s orders to see/have a follow up visit in 2-3 days to finish assessing injuries.

August 23, 2017 was the furthest date and time of Dr.'s orders to have follow up visit, which I did not get.

Aug. 24, 2017 - I submitted a sick call detailing symptoms and reason for request. It was not answered.

August 29, 2017 - I submitted 2<sup>nd</sup> sick call. It was not answered.

Sept. 2, 2017 - I submitted 3<sup>rd</sup> sick call. It was not answered.

Sept. 5, 2017 - I was transferred to the Jackson Parish Correctional Center in Jonesboro, LA.

Sept 7, 2017 - I submitted sick call. It was not answered.



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Sept. 8, 2017 - I submitted sick call  
It was not answered

Sept. 10, 2017 - I submitted sick call

Sept. 2017 - I finally saw a facility nurse and was sent to the local emergency room. Tests/X-rays/scans were done, diagnosis and discharge info was given orally and in writing to myself and the deputy that took me to the E/R, a Mr. Charlie Smith. As well as telling me of some of the damage in my back, he (the Dr) advised me of his orders to see a neurosurgeon for an immediate consult. I received no more medical attention until October 12, 2017 when I was brought to see the facility Dr.

October 12, 2017 - I saw the Dr at the facility and after reviewing notes from E/R visit and nurses she asked if I was pre-trial or DDC. When I answered pre-trial, she told me I could go back to my dorm, not saying any more about anything medical concerning me.



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October 18, 2017 - I had a bond reduction hearing. JPCC transported me to the Court house in Winn Parish. The District Attorney had previously agreed to a medical o/r bond since I had received no treatment of any kind since falling in August. The judge, Jacques Derr, denied it even though the D.A. had no problem with it. The judge cited his reason for denying it being he was told I was receiving treatment, which is not/had not happened.

October 2017 - During the month of October my injuries worsened/condition declined. I was taken out of general population because I could not walk to eat meals in the assigned location and placed in what I was told was medical infirm. Medical infirm turned out to be 2 weeks in suicide cells with inmates under suicide watch and then disciplinary lockdown for over 1 month. While in a suicide cell it became too difficult to walk without assistance, so I was given first a walker device and after that, by order of nurse, doctors, etc... a wheelchair. While in lockdown (infirm) I lost all privileges including Commissary, except for hygiene and Stationary, I was allowed (1) 5 minute phone call on a weekend night, I was



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allowed to purchase only (4) stamps per week, and allowed to shower every other night for (5) minutes, if the staff had time to supervise showers. The longest I had to go without a shower was 6 consecutive days because the staff would not provide any help for me, stating I would have to wait til another time.

October 27, 2017- I was let out of the suicide cell I was being housed in for a (5) minute shower, and rather than assist me, I was given the walker and a folding chair and told to go shower. During this shower I couldn't keep my balance with the walker and folding chair in the shower and slipped and fell, hitting my head and back and shoulder, and knocking myself out momentarily. The guard overseeing showers that night instructed other inmates to pick me up and carry me to the cell and my bunk, stating I could not have medical treatment until Monday when a nurse was present on site (This occurred on a Friday evening/night.)



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October 30, 2017 - I filled out a sick call previous to this date regarding my fall on the 27<sup>th</sup> in case no report was made of my fall. The nurse brought me in on this date, asked me a few questions and sent me back to my dorm (cell). That evening I was sent to LSU Shreveport Medical Center E/R, where I saw the on duty physician, a neurosurgeon, a neurologist, and had more tests and scans. After being there well into the morning and being told I was being admitted and being told I might need emergency surgery, I was told I was being discharged and referred to outpatient clinic settings and therapy. I was told nothing else of my medical condition except to stay in wheel chair.

November 5, 2017 - I was moved from the suicide cell I'd been sharing with suicidal inmates, one of which had threatened me and attempted to strike me, and I reported this to more than one guard prior to this date with no remedy, to a disciplinary lock down cell.



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November 2017 - I was held in the disciplinary lockdown cell all month long, but without use of the wheelchair I'd been ordered into unless I was being taken from the cell. I had no choice but to crawl across the floor to use the toilet and could not shower or use the phone during the allotted (5) minute times unless the staff would get the wheelchair which did not happen each time it was supposed to. The cell I was moved into did not have any handicap accessibility/assists, and neither did the previous one. Also, the facility does not have any form of handicapped accessible transportation when I have to leave the facility.

November 16<sup>th</sup>, 2017 - I made my 2<sup>nd</sup> request for a Form 1983 from what the facility calls its law library. The first was made approximately a week prior and not answered. When I later inquired as to why I got no response from either request, the inmate that works in this area of the facility told me I could not have the form because I was a pre-trial inmate and it wasn't allowed.



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November 19<sup>th</sup>, 2017 - The wheelchair the facility provided for me had been left in the cell for me for approx. a week, although the staff would come get it and take it without returning it for hours and sometimes days, if at all. On this day it was taken and rather than crawl across the floor when I needed to use the toilet I attempted to walk, twice, and fell both times. Guards were called to the cell both times, and I was not offered any treatment, or asked if I was OK, and the second time I was told if I fell anymore, not to call the staff, to get the inmates in the cell with me to assist getting to my bunk or to the toilet. The Wheelchair was returned late that night.

November 20, 2017 - I turned in 1<sup>st</sup> AKP, never got reply.

November 21, 2017 - I did not feel safe being in disciplinary lockdown cell and received no medical treatment while there so I didn't think it was medical infirm so I started filling out and submitting requests to rejoin general population.



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December 3, 2017 - Guards took wheelchair. Didn't return until following day, leaving me to crawl to a toilet to prevent falling and hurting myself further.

December 5, 2017 - Guards took wheelchair. Didn't return until following day, had to crawl to toilet to prevent falling.

December 6, 2017 - Turned in 2<sup>nd</sup> ARP. Got no reply.

December 7, 2017 - After several requests to rejoin general population, I was finally allowed to be assigned to a dorm in population. To be allowed to do this I had to sign a waiver releasing the facility from further liability if I was hurt by another inmate in population.

December 2017 - To prevent any further times I would have to crawl or be unable to move off my bunk for fear of injuring myself when the facility would take the wheelchair from me, my mother purchased one after getting approval from the facility for my personal use.



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September - December 2017 - During trips I was told I was making, being loaded and unloaded into a vehicle without handicapped access caused me to be thrown into the vehicle and caused me to have to fall out of the vehicle into a chair waiting below me, with it happening multiple times with witnesses, both inmate and employee. There is video surveillance record of falling at both facilities, in all areas it happened except the disciplinary lockdown cell I was in at the J.P.C.C., with witnesses to all events, both inmate and employee.

December 28, 2017 - I was taken to a neurosurgery clinic appointment even though it should have been neurology according to the last Dr. (at LSU E/R), unless written orders were different from verbal info I received. From the clinic I was admitted into the hospital for 2+ days where I received/did several tests/scans. I was discharged on Dec. 30 2017 and returned to J.P.C.C.



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- When asking the medical staff at J.P.C.C. about appointment and follow up scheduling I was told since I was pre-trial that it was at the discretion and approval of Sheriff Jordan as to me getting any medical treatment. I asked the same line of questions of my public defender and he answered the same as the nurses. A second bond reduction hearing requesting a medical o/r for lack of treatment while incarcerated has been scheduled. Medication orders have not been followed by facility.

January 12 2018 - I was called to see facility Dr. and after she read my medical info she asked if I was pre-trial or DOC, and when I answered ~~DOC~~ pre trial she told me I would just have to wait for any more off site appointments. She then had me returned to my dorm.

- After being placed in lockdown I stopped turning in sick calls no matter why I might need to for fear of being placed back in lockdown after being released from it finally. At the (1) clinic visit and in the hospital I was asked about my mental condition and any depression I might be experiencing,



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- I informed all that asked that my mental condition had declined and I was in fact seriously depressed.